

Amendment and Response After Final
Expedited Procedure
GAU 1762

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

CARMEN FLOSBACH ET AL.

Serial No: 09/921,815

Filed: August 3, 2001

For: PROCESS FOR REPAIRING COATED
SUBSTRATE SURFACES

Case No.: FA1014 US NA

Art Unit: 1762

Examiner: Jennifer Kolb Michener

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APPLICANTS' STATEMENT REGARDING THE INTERVIEW OF AUGUST 6, 2003

Sir:

Applicants respectfully submit this statement regarding the telephone interview that took place on August 6, 2003, for the above-captioned application.

Status of Application

Per the Office Action mailed June 3, 2003, claims 1-11 are pending in the above-referenced patent application; claims 1-8, 10 and 11 stand as rejected under 35 U.S.C. §102(b), and claim 9 stands as rejected under 35 U.S.C. §103(a). No new matter has been added.

In the present statement, Applicants wish to acknowledge the substance of the telephone interview of August 6, 2003 between Examiner Michener and Thomas Mancini and thank the Examiner for her explanation, courteousness and professionalism. Specifically the Applicants' Representative inquired as to the Examiner's statement regarding the "comprising" language as the transitional phrase for a process claim to reject the backing film used by the Applicants in claim 1. The Examiner reasserted the notion from the Final Office Action that the use of "comprising" in the language opens the Applicants' claim to the use of fabric backing films impregnated with resin. Applicants recited the differences between the present

invention and the subject matter of Smith et al., in that the present invention does not utilize fabric layers on the backing film and that the backing film of the present invention was coated with only the coating composition, wherein the coating composition was not impregnated into any type of fabric. Furthermore, it was explained that the transferred layer of the present invention was only coating composition and there was no fabric in the transferred layer as is taught by Smith et al. As a result the Examiner indicated that favorable consideration would be given upon further specificity with respect to the backing film or the transferred coating.

If the Examiner requires personal communication, the Examiner is invited to telephone the undersigned at the number provided.

There is no fee due in connection with the filing of this statement. However, should a fee be due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,



Thomas R. Mancini
Attorney for Applicant(s)
Reg. No. 50,157
Telephone: (302) 984-6127
Facsimile: (302) 658-1192

Date: 6/2/2002
594844v1



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Total Number of Pages in This Submission

Application Number	09/921,815
Filing Date	August 3, 2001
First Named Inventor	Carmen Flosbach et al.
Group Art Unit	1762
Examiner Name	Jennifer Kolb Michener

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Hilmar L. Fricke, Esquire Registration No. 22,384

Signature

Date

September 3, 2003

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Serial Number: 09/921,815
Attorney Docket: FA1014 US NA

Amendment and Response to Final Office Action Mailed June 3, 2003
Applicants' Statement Regarding the Interview of August 6, 2003
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